

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVCO GLOBAL, INC. d/b/a :
EVAN JOSEPH IMAGES :

Plaintiff, :

-against- :

COMPLAINT

Index No.: 12 CIV 4143 (SAS)

THE DAILY NEWS, L.P., INSIGHT NEWS
& FEATURE, INC., ABACA US, INC.; :
SPLASH NEWS & PHOTO AGENCY, LLC; :
AMERICAN BROADCASTING COMPANIES, :
INC.; CBS BROADCASTING INC.; :
BLOOMBERG, L.P.; NEW YORK OBSERVER :
L.P.; TELEGRAPH MEDIA GROUP LTD.; :
DEEP DIVE MEDIA, LLC.; AGENCE :
FRANCE PRESSE; FRANCE TELEVISIONES :
S.A.; LE NOUVEL OBSERVATEUR; :
LE REPUBLICAIN LORRAIN; :
ACHETER-A-NEW YORK; FRANCE 24; :
ASSOCIATED NEWSPAPERS LTD. :

JURY TRIAL DEMANDED

Defendants. :

Jurisdiction and Venue

1. This is a civil action for damages for copyright infringement under the Copyright Act (17 U.S.C. § 101 *et seq.*) and breach of contract under the laws of the State of New York.
2. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§§ 1331, 1338 and 1367.
3. Venue is proper in this District under 28 U.S.C. § 1391 (b) and (c) in that a substantial part of the acts of infringement complained of herein occurred in New York and in this District, the contract for services was entered into and performed in New York and in this District, and Defendant conducts business in New York and this District.

The Parties

4. Evco Global, Inc. d/b/a Evan Joseph Images (“Evco Global”) is a photography firm with a principal place of business located at 112 Magnolia Avenue, Jersey City NJ 07306.
5. The Daily News, L.P. (“Daily News”) is a news organization with a principal place of business located at 4 New York Plaza, 6th Floor, New York, NY 10004.
6. Insight News & Features, Inc. (“Insight News”) is a photo agency with a principal place of business located at 321 West 44th Street, Suite 702, New York, NY 10036.
7. Abaca, US Inc. (“Abaca”) is a photo agency with a principal place of business located 989 Avenue of the Americas, 2nd Floor, New York, NY 10018.
8. Splash News & Photo Agency, LLC (“Splash News”) is a photo agency with a principal place of business located at 14 East 4th Street, New York, NY 10012.
9. American Broadcasting Companies, Inc. (“ABC”) is a company with a principal place of business located at 77 West 66th Street, New York, NY 10023.
10. CBS Broadcasting Inc. (“CBS”) is a company with a principal place of business located at 51 W. 52nd St., New York, NY 10019.
11. Bloomberg, L.P. (“Bloomberg”) is a company with a principal place of business located at 731 Lexington Ave., New York, NY 10022.
12. New York Observer, L.P., (“New York Observer”) is a company with a principal place of business located at 54 East 64th St., New York, NY 10021
13. Telegraph Media Group Limited (“Telegraph Media”) is a company located at 111 Buckingham Place Road, London, SW1W 0DT United Kingdom. Upon information and belief Telegraph Media Group Limited conducts business in this district.
14. Deep Dive Media, LLC (“Deep Dive Media”) is a limited liability company located at 8400 Delongpre Avenue, Los Angeles, CA 90069. Deep Dive Media owns and operates the website entitled “Opposing Views,” which can be found at www.opposingviews.com. Upon information and

belief Deep Dive Media, LLC conducts business in this district.

15. Agence France-Presse (“AFP”) is a foreign news organization with offices located at 1500 K Street, Suite 600, Washington DC 20002. Upon information and belief Agence France-Presse conducts business in this district.

16. France Télévision SA is a company located at 7, esplanade Henri de France 75015 Paris France. It owns and operates “20 Heures.” Upon information and belief France Televisions SA conducts business in this district.

17. Le Nouvel Observateur is a company located at 12 Place de la Bourse 75002. Upon information and belief Le Nouvel Observateur conducts business in this district.

18. Le Republicain Lorrain is company located at 3 avenue des Deuz Fontaines, Woippy, 57140 France. Upon information and belief Le Republicain Lorrain conducts business in this district.

19. Acheter a New-York (“Acheter”) is a company located at 415 Madison Avenue, New York, NY 10017.

20. France 24 is a company located at 5 rue des Nations unies 92445 Issy les Moulineaux Cedex. Upon information and belief France 24 conducts business in this district.

21. Associated Newspapers Ltd. (“Associated Newspapers”) is located at Nothcliffe House, 2 Derry Street, Kensington, London W8 5TT. Upon information and belief Associated Newspapers conducts business in this district.

22. The Daily News, Insight News, Abaca US, Splash News, ABC, CBS, Bloomberg, New York Observer, Telegraph Media, Deep Dive, AFP, France Télévision SA, Le Bouvel Observateur, Le Republicain Lorrain, Acheter and France 24 shall be referred to collectively as the Defendants.

General Statement of Facts

23. Joseph Uhlfelder, owner of Evco Global, Inc. d/b/a Evan Joseph Images (“Evco Global”), is widely regarded as the top photographer in New York City in connection with high-end properties occupied by celebrities and other public figures.

24. Prior to May of 2011, Mr. Uhlfelder conducted a photo shoot of the property located at 153 Franklin Street, New York, NY 10013 (the “Franklin Street Property”) for the purpose of advertising the sale or rental of the Franklin Street Property on a real estate website (the “Photographs”).

25. Evco Global is the exclusive owner of all rights in and to the Photographs, including copyrights. The Photographs are registered with the United States Copyright Office under Registration No. VAu00106571.

26. Each Photograph contained embedded “metadata” clearly stating the following: “This photograph is licensed for use only for marketing the sale and/or rental of the photographed property by the exclusive agent. Any other use must be approved in advance by Evan Joseph Images, which retains all rights to these images. Other uses which require advance approval include but are not limited to: (1) use by other agents; (2) editorial (non- marketing uses); and (3) personal portfolios for architects, interior designers or contractors.”

27. The Franklin Property, which includes a gym, steam room, home theater and rooftop terrace, is known for being the residence of several celebrities, including Cameron Diaz.

28. In May of 2011, rumors began to circulate that Dominique Strauss-Khan, the former chief of the International Monetary Fund who, at the time, was embroiled in an alleged sexual scandal involving a hotel maid, had moved from his Upper East Side residence in Manhattan downtown to the Franklin Street Property. The story quickly drew worldwide media attention since Mr. Strauss-Khan would be spending his days on bail at the posh Franklin Street Property instead of in jail.

29. The Photographs were the only known photographs of the Franklin Street Property that could be used in connection with the breaking news story.

30. On or after May 26, 2011, the Defendants either copied the Photographs from the real estate website or received the Photographs from the photo agencies Insight News, Abaca USA or Splash News and subsequently reproduced them in either print publication or on their respective websites in willful disregard of the copyright notice embedded in the “metadata”.

31. At no time did the Defendants seek permission from Evco Global to distribute, display or reproduce the Photographs in any form.

COUNT 1:
COPYRIGHT INFRINGEMENT
(As to ABC)

32. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

33. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

34. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

35. The Photographs are copyrightable subject matter under the laws of the United States.

36. ABC willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the dining area, contained within a video segment on ABC's website, without the permission of Evco Global. (See Exhibit 1.)

COUNT 2;
COPYRIGHT INFRINGEMENT
(As to ABC)

37. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

38. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

39. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

40. The Photographs are copyrightable subject matter under the laws of the United States.

41. ABC willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of

the interior stairwell, contained within a video segment on ABC's website, without the permission of Evco Global. (See Exhibit 2.)

COUNT 3:
COPYRIGHT INFRINGEMENT
(As to ABC)

42. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

43. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

44. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

45. The Photographs are copyrightable subject matter under the laws of the United States. ABC willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, contained within a video segment on ABC's website, without the permission of Evco Global. (See Exhibit 3.)

COUNT 4:
COPYRIGHT INFRINGEMENT
(As to ABC)

46. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

47. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

48. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

49. The Photographs are copyrightable subject matter under the laws of the United States.

50. ABC willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of

the kitchen, contained within a video segment on ABC's website, without the permission of Evco Global. (See Exhibit 4.)

COUNT 5:
COPYRIGHT INFRINGEMENT
(As to ABC)

51. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

52. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

53. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

54. The Photographs are copyrightable subject matter under the laws of the United States.

55. ABC willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the rooftop terrace, contained within a video segment on ABC's website, without the permission of Evco Global. (See Exhibit 5.)

COUNT 6:
COPYRIGHT INFRINGEMENT
(As to CBS)

56. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

57. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

58. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

59. The Photographs are copyrightable subject matter under the laws of the United States.

60. CBS willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the

steam room, contained within a video segment on CBS's website, without the permission of Evco Global. (See Exhibit 6.)

COUNT 7:
COPYRIGHT INFRINGEMENT
(As to CBS)

61. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

62. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

63. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

64. The Photographs are copyrightable subject matter under the laws of the United States.

65. CBS willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, contained within a video segment on CBS's website, without the permission of Evco Global. (See Exhibit 7.)

COUNT 8:
COPYRIGHT INFRINGEMENT
(As to CBS)

66. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

67. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

68. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

69. The Photographs are copyrightable subject matter under the laws of the United States.

70. CBS willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the kitchen, contained within a video segment on CBS's website, without the permission of Evco Global.

(See Exhibit 8.)

COUNT 9:
COPYRIGHT INFRINGEMENT
(As to CBS)

71. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

72. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

73. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

74. The Photographs are copyrightable subject matter under the laws of the United States.

75. CBS willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home gym, contained within a video segment on CBS's website, without the permission of Evco Global. (See Exhibit 9.)

COUNT 10:
COPYRIGHT INFRINGEMENT
(As to Bloomberg)

76. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

77. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

78. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

79. The Photographs are copyrightable subject matter under the laws of the United States.

80. Bloomberg willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the rooftop terrace, contained within a video segment on Bloomberg's website, without the permission of Evco Global. (See Exhibit 10.)

COUNT 11:
COPYRIGHT INFRINGEMENT
(As to Bloomberg)

81. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

82. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

83. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

84. The Photographs are copyrightable subject matter under the laws of the United States.

85. Bloomberg willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bedroom, contained within a video segment on Bloomberg's website, without the permission of Evco Global. (See Exhibit 11.)

COUNT 12:
COPYRIGHT INFRINGEMENT
(As to Bloomberg)

86. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

87. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

88. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

89. The Photographs are copyrightable subject matter under the laws of the United States.

90. Bloomberg willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the kitchen, contained within a video segment on Bloomberg's website, without the permission of Evco Global. (See Exhibit 12.)

COUNT 13:
COPYRIGHT INFRINGEMENT
(As to Bloomberg)

91. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

92. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

93. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

94. The Photographs are copyrightable subject matter under the laws of the United States.

95. Bloomberg willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the building's facade, contained within a video segment on Bloomberg's website, without the permission of Evco Global. (See Exhibit 13.)

COUNT 14:
COPYRIGHT INFRINGEMENT
(As to Telegraph Media)

96. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

97. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

98. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

99. The Photographs are copyrightable subject matter under the laws of the United States.

100. Telegraph Media willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bedroom, contained within an article on Telegraph Media's website, without the permission of Evco Global. (See Exhibit 14.)

COUNT 15:
COPYRIGHT INFRINGEMENT
(As to Deep Dive Media)

101. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

102. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

103. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

104. The Photographs are copyrightable subject matter under the laws of the United States.

105. Deep Dive Media willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room, contained within an article on it's website, Opposing Views, without the permission of Evco Global. (See Exhibit 15.)

COUNT 16:
COPYRIGHT INFRINGEMENT
(As to Daily News)

106. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

107. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

108. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

109. The Photographs are copyrightable subject matter under the laws of the United States.

110. The Daily News willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bedroom prominently displayed on the front page of their May 26, 2011 printed newspaper, without the permission of Evco Global. (See Exhibit 16.)

COUNT 17:
COPYRIGHT INFRINGEMENT
(As to Daily News)

111. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

112. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

113. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

114. The Photographs are copyrightable subject matter under the laws of the United States.

115. The Daily News willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the building's façade, published in the May 26, 2011 edition of the Daily News newspaper, without the permission of Evco Global. (See Exhibit 17(A).)

COUNT 18:
COPYRIGHT INFRINGEMENT
(As to Daily News)

116. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

117. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

118. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

119. The Photographs are copyrightable subject matter under the laws of the United States.

120. The Daily News willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room skylight, published in the May 26, 2011 edition of the Daily News newspaper, without the permission of Evco Global. (See Exhibit 17(B).)

COUNT 19:
COPYRIGHT INFRINGEMENT
(As to AFP)

121. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

122. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

123. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

124. The Photographs are copyrightable subject matter under the laws of the United States.

125. AFP willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, contained within a video segment posted on YouTube by AFP, without the permission of Evco Global. (See Exhibit 18.)

COUNT 20:
COPYRIGHT INFRINGEMENT
(As to AFP)

126. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

127. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

128. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

129. The Photographs are copyrightable subject matter under the laws of the United States.

130. AFP willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, contained within a video segment posted on YouTube by AFP, without the permission of Evco Global. (See Exhibit 19.)

COUNT 21:
COPYRIGHT INFRINGEMENT
(As to AFP)

131. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

132. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

133. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

134. The Photographs are copyrightable subject matter under the laws of the United States.

135. AFP willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room and kitchen area, contained within a video segment posted on YouTube by AFP, without the permission of Evco Global. (See Exhibit 20.)

COUNT 22:
COPYRIGHT INFRINGEMENT
(As to France Télévisiones SA)

136. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

137. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

138. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

139. The Photographs are copyrightable subject matter under the laws of the United States.

140. France Télévisiones SA willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bedroom, contained within a video segment on the "20 Heures" website, without the permission of Evco Global. (See Exhibit 21.)

COUNT 23:
COPYRIGHT INFRINGEMENT
(As to France Télévisiones SA)

141. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

142. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

143. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

144. The Photographs are copyrightable subject matter under the laws of the United States.

145. France Télévisiones SA willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bathroom, contained within a video segment on the "20 Heures" website, without the permission of Evco Global. (See Exhibit 22.)

COUNT 24:
COPYRIGHT INFRINGEMENT
(As to France Télévisiones SA)

146. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

147. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

148. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

149. The Photographs are copyrightable subject matter under the laws of the United States.

150. France Télévisiones SA willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, contained within a video segment on the "20 Heures" website, without the permission of Evco Global. (See Exhibit 23.)

COUNT 25:
COPYRIGHT INFRINGEMENT
(As to Le Nouvel Observateur)

151. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

152. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

153. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

154. The Photographs are copyrightable subject matter under the laws of the United States.

155. Le Nouvel Observateur willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the dining and living room area, contained within an article on it's website, without the permission of Evco Global. (See Exhibit 24.)

COUNT 26:
COPYRIGHT INFRINGEMENT
(As to Le Républicain Lorrain)

156. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

157. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

158. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

159. The Photographs are copyrightable subject matter under the laws of the United States.

160. Le Républicain Lorrain willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, on it's website, without the permission of Evco Global. (See Exhibit 25(A).)

COUNT 27:
COPYRIGHT INFRINGEMENT
(As to Le Républicain Lorrain)

161. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

162. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

163. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

164. The Photographs are copyrightable subject matter under the laws of the United States.

165. Le Républicain Lorrain willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the kitchen, on it's website, without the permission of Evco Global.
(See Exhibit 25(B).)

COUNT 28:
COPYRIGHT INFRINGEMENT
(As to Le Républicain Lorrain)

166. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

167. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

168. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

169. The Photographs are copyrightable subject matter under the laws of the United States.

170. Le Républicain Lorrain willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, on it's website, without the permission of Evco Global.
(See Exhibit 25(C).)

COUNT 29:
COPYRIGHT INFRINGEMENT
(As to Le Républicain Lorrain)

171. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

172. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

173. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

174. The Photographs are copyrightable subject matter under the laws of the United States.

175. Le Républicain Lorrain willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room skylight, on its website, without the permission of Evco Global. (See Exhibit 25(D).)

COUNT 30:
COPYRIGHT INFRINGEMENT
(As to Le Républicain Lorrain)

176. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

177. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

178. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

179. The Photographs are copyrightable subject matter under the laws of the United States.

180. Le Républicain Lorrain willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bathroom, on its website, without the permission of Evco Global. (See Exhibit 25(E).)

COUNT 31:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

181. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

182. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

183. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

184. The Photographs are copyrightable subject matter under the laws of the United States.

185. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, on it's website, without the permission of Evco Global. (See Exhibit 26(A).)

COUNT 32:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

186. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

187. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

188. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

189. The Photographs are copyrightable subject matter under the laws of the United States.

190. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room, on it's website, without the permission of Evco Global. (See Exhibit 26(B).)

COUNT 33:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

191. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

192. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

193. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

194. The Photographs are copyrightable subject matter under the laws of the United States.

195. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home gym, on it's website, without the permission of Evco Global. (See Exhibit 26(C).)

COUNT 34:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

196. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

197. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

198. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

199. The Photographs are copyrightable subject matter under the laws of the United States.

200. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room skylight, on it's website, without the permission of Evco Global. (See Exhibit 26(D).)

COUNT 35:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

201. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

202. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

203. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

204. The Photographs are copyrightable subject matter under the laws of the United States.

205. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the building's façade, on it's website, without the permission of Evco Global. (See Exhibit 26(E).)

COUNT 36:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

206. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

207. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

208. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

209. The Photographs are copyrightable subject matter under the laws of the United States.

210. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bathroom, on it's website, without the permission of Evco Global. (See Exhibit 26(F).)

COUNT 37:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

211. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

212. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

213. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

214. The Photographs are copyrightable subject matter under the laws of the United States.

215. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, on it's website, without the permission of Evco Global.
(See Exhibit 26(G).)

COUNT 38:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

216. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

217. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

218. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

219. The Photographs are copyrightable subject matter under the laws of the United States.

220. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the hallway, on it's website, without the permission of Evco Global.
(See Exhibit 26(H).)

COUNT 39:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

221. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

222. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

223. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

224. The Photographs are copyrightable subject matter under the laws of the United States.

225. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the children's bedroom, on it's website, without the permission of Evco Global. (See Exhibit 26(I).)

COUNT 40:
COPYRIGHT INFRINGEMENT
(As to Acheter à New-York)

226. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

227. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

228. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

229. The Photographs are copyrightable subject matter under the laws of the United States.

230. Acheter à New-York willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, rooftop terrace, on it's website, without the permission of Evco Global. (See Exhibit 26(J).)

COUNT 41:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

231. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

232. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

233. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

234. The Photographs are copyrightable subject matter under the laws of the United States.

235. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the steam room, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 27.)

COUNT 42:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

236. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

237. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

238. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

239. The Photographs are copyrightable subject matter under the laws of the United States.

240. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 28.)

COUNT 43:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

241. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

242. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

243. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

244. The Photographs are copyrightable subject matter under the laws of the United States.

245. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home gym, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 29.)

COUNT 44:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

246. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

247. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

248. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

249. The Photographs are copyrightable subject matter under the laws of the United States.

250. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of decorative wall shelves, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 30.)

COUNT 45:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

251. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

252. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

253. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

254. The Photographs are copyrightable subject matter under the laws of the United States.

255. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the top of the stairs, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 31.)

COUNT 46:
COPYRIGHT INFRINGEMENT
(As to FRANCE 24)

256. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

257. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

258. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

259. The Photographs are copyrightable subject matter under the laws of the United States.

260. FRANCE 24 willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living and dining room area, contained in a video segment posted on the internet by FRANCE 24, without the permission of Evco Global. (See Exhibit 32.)

COUNT 47:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

261. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

262. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

263. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

264. The Photographs are copyrightable subject matter under the laws of the United States.

265. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room skylight, without the permission of Evco Global. (See Exhibit 33.)

COUNT 48:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

266. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

267. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

268. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

269. The Photographs are copyrightable subject matter under the laws of the United States.

270. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home gym, without the permission of Evco Global. (See Exhibit 34(A).)

COUNT 49:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

271. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

272. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

273. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

274. The Photographs are copyrightable subject matter under the laws of the United States.

275. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, without the permission of Evco Global. (See Exhibit 34(B).)

COUNT 50:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

276. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

277. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

278. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

279. The Photographs are copyrightable subject matter under the laws of the United States.

280. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the living room, without the permission of Evco Global. (See Exhibit 35(A).)

COUNT 51:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

281. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

282. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

283. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

284. The Photographs are copyrightable subject matter under the laws of the United States.

285. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the rooftop terrace, without the permission of Evco Global. (See Exhibit 35(B).)

COUNT 52:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

286. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

287. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

288. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

289. The Photographs are copyrightable subject matter under the laws of the United States.

290. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the kitchen, without the permission of Evco Global. (See Exhibit 36(A).)

COUNT 53:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

291. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

292. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

293. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

294. The Photographs are copyrightable subject matter under the laws of the United States.

295. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the stairwell, without the permission of Evco Global. (See Exhibit 36(B).)

COUNT 54:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

296. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

297. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

298. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

299. The Photographs are copyrightable subject matter under the laws of the United States.

300. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the home theater, without the permission of Evco Global. (See Exhibit 37.)

COUNT 55:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

301. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

302. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

303. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

304. The Photographs are copyrightable subject matter under the laws of the United States.

305. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the dining and living room area, without the permission of Evco Global. (See Exhibit 38(A).)

COUNT 56:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

306. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

307. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

308. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

309. The Photographs are copyrightable subject matter under the laws of the United States.

310. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bathroom, without the permission of Evco Global. (See Exhibit 38(B).)

COUNT 57:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

311. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

312. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

313. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

314. The Photographs are copyrightable subject matter under the laws of the United States.

315. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the hallway, without the permission of Evco Global. (See Exhibit 39(A).)

COUNT 58:
COPYRIGHT INFRINGEMENT
(As to Associated Newspapers)

316. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

317. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

318. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

319. The Photographs are copyrightable subject matter under the laws of the United States.

320. Associated Newspapers willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the bedroom, without the permission of Evco Global. (See Exhibit 39(B).)

COUNT 59:
COPYRIGHT INFRINGEMENT
(As to New York Observer)

321. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

322. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

323. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

324. The Photographs are copyrightable subject matter under the laws of the United States.

325. New York Observer willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the building's façade, contained within an article on New York Observer's website, without the permission of Evco Global. (See Exhibit 40(A).)

COUNT 60:
COPYRIGHT INFRINGEMENT
(As to New York Observer)

326. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

327. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

328. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

329. The Photographs are copyrightable subject matter under the laws of the United States.

330. New York Observer willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly reproducing one of the Photographs, specifically, a photograph of the rooftop terrace, contained within an article on New York Observer's website, without the permission of Evco Global. (See Exhibit 40(B).)

COUNT 61:
COPYRIGHT INFRINGEMENT
(As to Insight News)

331. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

332. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

333. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

334. The Photographs are copyrightable subject matter under the laws of the United States. Upon information and belief, Insight News, as a photo agency, willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly distributing the Photographs to a variety of Defendants without Evco Global's authorization.

COUNT 62:
COPYRIGHT INFRINGEMENT
(As to Splash News)

335. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

336. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

337. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

338. The Photographs are copyrightable subject matter under the laws of the United States.

339. Upon information and belief, Splash News, as a photo agency, willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly distributing the Photographs to a variety of Defendants without Evco Global's authorization.

COUNT 63:
COPYRIGHT INFRINGEMENT
(As to Abaca)

340. Evco Global repeats and re-alleges all preceding paragraphs as if fully set forth herein.

341. Evco Global is proprietor of all right, title, and interest in and to the copyright of the Photographs subject to the Registration pursuant to 17 U.S.C. §411(a).

342. Under 17 U.S.C. §106, Plaintiff has the exclusive right to publish, reproduce, distribute and create derivative works from the Photographs.

343. The Photographs are copyrightable subject matter under the laws of the United States. Upon information and belief, Abaca, as a photo agency, willfully infringed Evco Global's copyright in violation of the Copyright Act, 17 U.S.C. §101 et seq., by knowingly distributing the Photographs to a variety of Defendants without Evco Global's authorization.

COUNT 64:
COSTS AND ATTORNEYS' FEES

344. Evco Global repeats and realleges all preceding paragraphs as if fully set forth herein.

345. Pursuant to 17 U.S.C. § 505, this Court may allow the recovery of full costs and reasonable attorneys' fees in any civil action brought pursuant to the Copyright Act.

346. Accordingly, Evco Global requests that this Court award Evco Global reasonable attorneys' fees and costs of this action pursuant to 17 U.S.C. §505.

WHEREFORE, Plaintiff requests and prays that this court enter a judgment against defendants as follows:

A. Permanently enjoining Defendants and their respective officers, agents, servants, employees and all other persons acting in concert or participation with them from publishing, distributing, disseminating or copyrighting the Photographs or any material created with use of the Photographs; or making any other false designation of origin; and

B. Ordering the destruction or impoundment of any unauthorized works incorporating the Photographs.

C. Awarding statutory damages and attorneys' fees for each act of copyright infringement;

D. For such other and further relief as the Court deems just.

Dated: New York, New York
May 22, 2012

Attorneys for Plaintiff
Evco Global, Inc. d/b/a Evan Joseph Images

By: _____/s/_____
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